G.O. No. 991 Edn

Dated 16. 5. 46

To

FROM Rao Sahib P. Ramadoss, B.A.,
Collector of South Kanara.

The Secretary to Government,
Education, and Public Health
Department, MADRAS.

Ref.B1-12559-44 dated 20-2-45. 07907

Sir

LAND ACQUISITION - South Kanara District, Mangalore Taluk - Kasba Bazaar village - T.S.Nos.111 and 114-1 - St. Ann's Training College and Sch Playground - Agreement by the management - reports submitted

Ref: G.O.Ms.No.5 Edn. dated 12-1-45.

With reference to para 3 of the G.O.mentioned above, I submit that the management of St. Anne's Training College has since given an undertaking to abide by the conditions mentioned in the annexure to the G.O. and also to pay such compensation for damage as may be determined by Government under Sec. 4(a) of the Land Acquisition Act in the event of the management

...III ... - ... - ... - ... - ... -
...llage - G.S.Do.114/1 - ...ayerwal for ...t. Anion Training Col...
...chool - Draft ...ation - submitted.

Ref: G.O. ...Nil ... dated 12-1- 45.
G. Govt ... No.7-373/45-1 dated 19-4 -

... draft notification for the acquisition of S. ...Nil ... Anion Brass village, Pathankot Tehsil, for the purpose ... St. Anion Training College and School ... mentioned by the ... in the G.O. first cited above. The ... by the ... College and School ... under the provisions of Sub-Section ... Ordinance No.F1-1-953-42 dated 20-8-45.

... the enquiry ... proceedings, all the land position ... Anion Brass village, Pathankot are admitted, the only land ... for of the land are the S... Co., Ltd., (London) ... objections point only to the acquisition of the plots. The main objection ... which is that there is no need for the acquisition of land ... the College has already land for the purpose and does not require ... plots. It is further urged that although it was ... decision in June, 1945 for all practical purposes ... proposed acquisition of the plots would deprive her of the only ... holds the land ... the Pathankot Transportation Co., ... asserted that the plots in question and the buildings thereon ... owned by the Pathankot Transportation Co., Ltd., doing ... for ... nearly 40 years and, if they are acquired, public ... and that deprive them of the use of this property and unable ... rent to the College would be unfair.

... the Nov. Divl. Officer, considered these objections to be ... and he submitted a draft declaration for the acquisition ... No.111 and 114/1 of Anion Brass village. ... of the ... finally contested and no further representations were made to us ...

P.T.O.

From

Rao Bahadur P. Ananda[illegible], B.A.,
Collector of South Kanara.

To

The Secretary to the Government,
Education and Public Health Department, Madras.

Through

The Secretary, Board of Revenue,
L. R. & I., Madras.

Sir,

[illegible] - South Kanara - Mangalore Taluk - Kanba Bannar village - T.S.No.114/1 - Playground for St. Anne's Training College and School - Draft Declaration - submitted.

Ref: G.O.Ms.No.35. Education dated 13-1-1945.
2. Government Memo No.7907B/45-1 Education 19-4-45.

The draft notification for the acquisition of T.S.Nos.111 and 114-1 of Kanba Bannar village, Mangalore Taluk, for the purpose of a playground to the St. Anne's Training College and School was approved by the Government in the G.O. first cited above. The agreement by the Management of the college and school to abide by the several conditions annexed to the G.O. was obtained and was submitted to the Government in this office Ref.B1-12603-44 dated 30-3-45.

2. At the enquiry under section 5-A of the Land Acquisition Act before the Rev. Divl. Officer, Mangalore Zulekhbi, the several holders of the lands and the B.B.N. Co., Ltd.,(lessee) represented their objections jointly to the acquisition of the plots. The main objection of Zulekhbi is that there is no need for the acquisition of her land, as the college has ample space for the purpose and does not need the entire plots with the improvements thereon and that although the number of students is large, only a few will make use of the playground and consequently acquisition of the plots would deprive her of the only asset she holds. The local Manager of the Bombay Steam Navigation Co., Ltd., represented that the plots in question and the buildings thereon had been occupied by the Bombay Steam Navigation Co., Ltd., for their shipping business nearly 40 years ago, that they are engaged on essential public utility work and that depriving them of the use of this property and handing it over to the college would be unfair.

3. The Rev. Divl. Officer, considered these objections to be not tenable and has submitted a draft declaration for the acquisition of T.S.Nos.111 and 114/1 of Kanba Bannar village. As this office in many contacted one and no further representations were made to me

P.T.O.

Enclosures:

No. Ref. I. 538/46-3, dated 24th April, 1946

Sir,

S. Ranganathan Esq., O.B.E., I.C.S.,
Commissioner of Land Revenue and Irrigation.

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22818

Sub:-LAND ACQUISITION--(South Kanara)--Mangalore Taluk--Kasba Bazaar Village--T.S. No. 114/1--For play-ground for St. Anne's Training College and School--Draft declaration and withdrawal notification--Submitted.

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Read:-

I

From the Collector of South Kanara R.Dis.12559/44, dated 11/2/46

II

From the Government, Education and Public Health Department Memorandum No. 7907-B1/45-7, Edn. dated 11/3/46.

III

From the Collector of South Kanara, R.Dis. 2630/46, dated 27/3/46.

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Ref:- Board's Ref. C. No. I-538-46-1, dated 28/2/46.

A draft withdrawal notification is enclosed in respect T.S. No. 111 which is now proposed to be excluded from the acquisition and in respect of which 4(1) notification was published. No compensation is payable under Section 48(2) of the Land Acquisition Act on account of the withdrawal as none has suffered any loss or damage due to the notification. The of T.S. No. 114/1 as now sub-divided, and the Manager of the Bombay Steam Navigation Co.l object to the acquisition of 44 cents in it, and request that the boundary of the portion to acquired may be shifted still further north. The extent of land now proposed for acquisition was determined by my predecessor after a personal inspection of the site and I therefore consider the objections to be frivolous and recommend that they be over-ruled. The objection statements are enclosed.

2. The draft declaration submitted with this Office R. Dis. No.12559 dated 11/2/1946 may be approved and published the Fort St. George Gazette.

REFERENCE.

Submitted to the Government.

2. In the circumstances reported by the Collector the Board agrees with him and recommends that the objections the acquisition may be over-ruled and that the draft withdra notification in respect of T.S.No.111 and the draft declarat under Sec.6 of the Land Acquisition Act in respect of T.S.No. 114/1 may be approved and ordered to be published in the

Statement of Mrs. Bibi Zulekhabi, widow of (Late) C.Nizamuddin, Chilm House, Niresnwalya, Mangalore, recorded on 15.2.1946

I beg to submit humbly the following few and important difficulties in view of the proposed acquisition of 0.44 cents from my compound T.S.No.114/1.

The proposed demarcation interferes to a great extent with the privacy and open frontage of the bungalow. A glance at the plan will show that the Bungalow is situate in the centre and the proposed subdivision line comes too close to the bedrooms of the Bungalow. At the same time I am aware of the fact that I cannot have the matter all way I want. Yet, I humbly submit that the demarcation line subdividing T.S.No. 114/1 to the north of the main building may be moved a few feet to the still northern side so that the bungalow will get a suitable frontage and the present flower gardens and drive may not be destroyed. With this alteration the northern portion of T.S. No. 114/1 may be acquired if necessary and proper compensation paid to me, as, otherwise, with the proposed subdivision, my long standing property, on which considerable sum has been spent for the last 50 years gets permanently devalued, which a poor old gosha widow cannot afford to suffer. I therefore humbly requests that in the mutual advantage of both the proposed division may please be shifted a few feet towards the school compd. so that the privacy and ventilation for the occupants are maintained, and at the same time any possible interference with children on the playground be reasonably avoided. Otherwise I may have to face the difficulty of the occupants refusing to occupy the compound having lost its present condition and usefulness and living here being dangerous to health etc as explained in the Statement of the Manager of Messrs. The Bombay Steam Navigation Co., Mangalore and consequent loss of my bare income in my old age. Read Over. Correct.

With due respect to the decision of the authorities appertaining to the proposed division of the existing compound T.S. No. 114/1 of Casba Bazaar village, I most respectfully submit that the following points may be considered when the demarcation is finalised. 1. The compd. wall that will be erected by the St. Anne's School Authoritieswill deprive the occupant of the bungalow of the healthy sea breeze as the wall comes too close to the existing bed-room 2, The frontage of the building permanently spoiled. 3. Since the portion to be acquired is to be utilized for a playground the occupants of the bungalow are likely to be disturbed and owing to the situation of the compound wall the privacy of the occupants will not be maintained. 4. In the monsoon, the rainwater right from the entrance will pass through the existing ground near the bedrooms, thereby creating unhealthy situation throughout the rainy seaso 5. The occupants will also be inconvenienced owing to splash of rainwater from the compound walls.

All facts considered it is humbly suggested that if the proposed demarcation line (northern) be shifted a few feet nearer to the school compd, all the difficulties mentioned above will be eliminated to the mutual advantage of both the school and theoccupants of the bungalow. Thereby the school authorities will only lose about 5 cents of land which in my humble opinion will not be much in view of the advantages that both the parties will derive. Read Over, Correct.

Land Acquisition in South Kanara DT - Mangalore Taluk - Kasba Bazaar Village - St Anns Training College and School - Playground - Declaration under Sec 6 and withdrawal under Sec 48 of the Land Acquisition Act - Notification published

Read

The draft declaration under Section 6 of the Land Acquisition Act in respect of T.S. No 114/1 and the draft withdrawal notification under Section 48(1) of the Act in respect of T.S. No 111 submitted by the Collector of South Kanara are approved and forwarded to the Superintendent Govt Press for publication in English in the Fort St George Gazette [illegible]

2. After acquisition is completed and possession is taken of the land, the Collector of South Kanara is requested to issue an order of alienation, alienating the land on the terms already agreed upon by the Correspondence of the St Anne's Training College and School,

The draft order on ff 1-2 ante may be sent to Revenue dept. for perusal & remarks if any before issue

4.5.46

6/5/46

8/5/46 Rev

8/5

ASSISTANT SECRETARY TO GOVERNMENT
1747
10 MAY 1946
REVENUE DEPARTMENT

8/5/46

Rev Dep

10/5/46

To U.S.

The draft order at ff 1-2 ante may be perused. No remarks are called for. The file may be returned to E.P.H.

13/5/46 EPH

14/5/46

25649

ASST. SECRETARY TO GOVERNMENT
13 MAY 1946
EDUCATION AND PUBLIC HEALTH DEPT.

C.F. 68.

E.T.P.H. (B1) DEPARTMENT.

REMINDER. Education Branch.

To The Board of Revenue 1946 2 (L.R. + S.)

~~the honour to invite~~
a directed to invite attention to your letter
~~I invite~~

No. 538462, dated 16/3/46 and P's

~~to request that the reply to it may be expedited~~
request that this reminder may be returned ~~at once~~ with information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected,

~~and~~

~~(3) the circumstances which have caused the delay.~~

Office E.T.P.H.

Station H.S.G.

Dated 24/4/46.

J. B. Mc

Signature.

Asst. Secy to Govt

Designation.

SUBJECT. 22/4

C.F. 98.

23733 REPLY.

THE Assistant Secretary to the Govt
Exp. H. Dept.

The Board's remarks in the
matter were submitted to the Govt
its reptd 538/46-3 dated 24-
espatched on 26-4-46

for Joint Secrs
29/4/46. 29/4